

### **REMARKS**

The Office Action dated April 5, 2006 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto. Claims 24-45 are currently pending in the application.

Claims 24 and 45 have been amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter has been added. Claims 24-45 are respectfully submitted for consideration.

Claims 24-34, 36-41, and 43-45 were rejected under 35 U.S.C. §102(b) as being anticipated by Tognazzini (EP 0810803 A2). The rejection is respectfully traversed for the reasons which follow.

Claim 24, upon which claims 25-44 are dependent, recites a telecommunications system comprising a telecommunication network, a first station and a plurality of second stations. The first station is configured to request a connection with at least one of the plurality of second stations. The connection request comprises a location criteria to be satisfied by at least one second station. The telecommunication network is provided with at least one store for storing location information for at least some of the second stations and selection means that selects at least one of the second stations for connection in dependence on the location information stored in the store. The telecommunications system connects the first station to the at least one second station selected by the selection means.

Claim 45 recites a method for use in a telecommunications system comprising a telecommunication network, a first station and a plurality of second stations. The method includes the steps of defining at the first station a location criteria to be satisfied by at least one second station, and requesting a connection with at least one second station satisfying said criteria. The method also includes determining at the telecommunication network which of the second stations satisfy the criteria, and establishing a connection between the first station and the at least one second station satisfying the location criteria. The telecommunications network selects at least one of the second stations satisfying the criteria in dependence on stored location information, and the telecommunications system connects the first station to the at least one second station selected by the telecommunication network.

Therefore, the present invention is directed, in part, to connecting a user of a first station to one of a plurality of second stations based on location information for the second stations. The user of the first station does not know where the second mobile stations are positioned and the decision as to which second station is to be connected is made by the communication network based on stored location information. As an example, the present invention may be applied in a situation where customers need to call a company or a service, such as a taxi or physician. In such a situation, it would not necessarily be practical to display all of the information regarding the position of doctors or taxis to a user of the first station. Additionally, it may not be desirable for the taxi company or physician to allow the user of the first station to decide which second station

is to be contacted (Specification, page 1, line 15 – page 2, line 28). Consequently, the present invention provides a method and system wherein the communications network selects the second station that is to be connected to the user of the first station based on the location information.

As will be discussed below, Tognazzini fails to disclose or suggest the elements of the claims, and therefore fails to provide the features and advantages discussed above.

Tognazzini discloses an apparatus and method for establishing communications between a calling station and one or more called stations based on information stored in a database. A receiver receives a communication request including a query specifying at least one criterion. A comparator compares information stored in the database with the criterion, and a transmitter responds to the communications request when the information in the database satisfies the criterion.

Applicants respectfully submit that Tognazzini fails to disclose or suggest all of the elements of the present claims. For example, Tognazzini fails to disclose or suggest that “the telecommunication network is provided with at least one store for storing location information for at least some of said second stations and selection means which selects at least one of the second stations for connection in dependence on the location information stored in the store, and wherein the telecommunications system connects the first station to the at least one second station selected by the selection means,” as recited in claim 24. Similarly, Tognazzini does not disclose or suggest that “the telecommunication network selects at least one of said second stations satisfying said

criteria in dependence on stored location information, and the telecommunications system connects the first station to the at least one second station selected by the telecommunication network,” as recited in claim 45.

According to Tognazzini, location information for the second stations is displayed to a user of the first station and the user of the first station selects which one of the second stations is to be connected by touching an icon on the display screen (Tognazzini, Column 13, lines 34-42). Figure 10 of Tognazzini illustrates that station 1010 originates a call over cellular system 1000 and individual stations 1020, 1030, and 1040, which each satisfy the query originated by station 1010, respond to the cellular system 1000 indicating that they satisfy the criteria.

According to embodiments of the present invention, however, a first station which requests a connection with at least one second station satisfying a location criteria and the telecommunications network then selects which of the second stations is to be connected depending upon stored location information from the second station. The telecommunications system then connects the first station to the at least one second station selected by the telecommunication network.

Consequently, one of the advantages provided by the claimed invention is that the location information for the second stations does not need to be displayed to the user of the first station. Similarly, the criteria for selecting which of the second stations is connected to the first station can be determined by the telecommunications system, rather than by the user of the first station. Furthermore, the telecommunications system may

determine the second station that is to be connected to the first station based on criteria not available to the user of the first station.

Tognazzini does not disclose connecting the first station to the second station selected by the telecommunication system. Rather, Tognazzini only discloses connecting to a station that is selected by the user.

Therefore, Tognazzini does not disclose or suggest that “the telecommunication network is provided with at least one store for storing location information for at least some of said second stations and selection means which selects at least one of the second stations for connection in dependence on the location information stored in the store, and wherein the telecommunications system connects the first station to the at least one second station selected by the selection means,” as recited in claim 24, and also fails to disclose or suggest that “the telecommunication network selects at least one of said second stations satisfying said criteria in dependence on stored location information, and the telecommunications system connects the first station to the at least one second station selected by the telecommunication network,” as recited in claim 45.

Claims 25-44 are dependent upon claim 24. Thus, claims 25-44 should be allowed for at least their dependence upon claim 24, and for the specific limitations recited therein.

Additionally, Applicants note that the response to arguments section of the Office Action indicates that “Applicants’ arguments with respect to claims 24-45 have been considered but are moot in view of the new ground(s) of rejection.” However, Applicants

respectfully submit that the present Office Action does not contain any new grounds of rejection. The Office Action contains the same rejections presented in the previous Office Action. As such, Applicants submit that a response to the substantive arguments presented by the Applicants in the previous response should have been provided. MPEP 707.07(f) provides that “where the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant’s argument and answer the substance of it.” Applicants respectfully submit that no such answer has been provided. Therefore, Applicants respectfully request that the next Office Action be non-final and include an answer to the substance of the Applicants’ arguments.

Claim 35 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini in view of Nojima (U.S. Patent No. 5,933,080). The Office Action took the position that Tognazzini discloses all of the elements of claim 35, with the exception of determining means arranged to define an order in which connections to second stations satisfying the location criteria are to be attempted. The Office Action then relies upon Nojima as allegedly curing this deficiency in Tognazzini. The above rejection is respectfully traversed for the following reasons.

Tognazzini is discussed above. Nojima discloses an emergency calling system. When it is necessary to make an emergency call about a vehicle station, a Mayday center performs an emergency call to a plurality of emergency contacts in an order of priority according to the vehicle station’s present location. The order of priority of the emergency contact addresses is determined according to vehicle station location.

Applicants note that claim 35 is dependent upon claim 24. Additionally, Nojima fails to cure the deficiencies in Tognazzini discussed above with respect to claim 24. Therefore, Applicants respectfully submit that claim 35 should be allowed for at least its dependence upon claim 24, and for the specific limitations recited therein.

Claim 42 was rejected under 35 U.S.C. §103(a) as being unpatentable over Tognazzini in view of Tayloe (U.S. Patent No. 5,809,418). The Office Action took the position that Tognazzini discloses all of the elements of claim 42, with the exception of making the call at a subsequent time when the second station satisfies the location criteria. The Office Action then relies upon Tayloe to cure this deficiency in Tognazzini. This rejection is respectfully traversed for the following reasons.

Tognazzini is discussed above. Tayloe discloses a position dependent call connection method and apparatus in a radio communication system. Tayloe further discloses calculating opportunity times when there is a high likelihood of establishing a link between a target communication unit and a satellite. These opportunities are calculated by predicting the satellite's future positions with respect to an optimal call initiation area. The opportunity times are sent to the source communication unit so that the user knows when to attempt another call.

Applicants note that claim 42 is dependent upon claim 24. Additionally, Tayloe fails to cure the deficiencies in Tognazzini discussed above with respect to claim 24. Therefore, Applicants respectfully submit that claim 42 should be allowed for at least its dependence upon claim 24, and for the specific limitations recited therein.

Applicants respectfully submit that Tognazzini, Nojima, and Tayloe, whether considered alone or in combination, fail to disclose or suggest critical and important elements of the claimed invention. These distinctions are more than sufficient to render the claimed invention unanticipated and unobvious. It is therefore respectfully requested that all of claims 24-45 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosure: Petition for Extension of Time